IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NOs. 2743 & 2809 OF 2006

Hemchand Fakirbhai Jhaveri ..Applicant
V/s
The State of Maharashtra ..Respondent.

Ms. Tanu Mehta Tiwari, Advocate for the applicant.
Mrs. V.R. Bhosale and Mrs. M.M. Deshmukh APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 22ND MARCH, 2007.

P.C.

. Heard Mr. Tanu Mehta-Tiwari, learned Counsel for the applicant. Issue notice to the respondent, returnable forthwith.

2. It appears that the complaints were filed in the year 2000 and both the complaints are at present at the stage of recording of evidence. The applicant, who is accused No.3 in the complaint, could not appear before the Court because of his ill health and non-bailable warrant has been issued against him. The learned Counsel for the applicant makes a statement that the matter is fixed today before the Special Metropolitan

Magistrate, Small Cause Court, Mumbai at 2.45 P.M. She also makes a statement that the applicant is willing to appear before that Court today. She wants to withdraw these applications but only prays for some protection against arrest.

3. Both these applications stand disposed of as withdrawn. The applicant shall appear before the trial Court today and shall make an application for cancellation of warrant, which shall be considered by the trial Court sympathetically taking into consideration his age. Non-bailable warrant issued against him shall not be executed till his application for cancellation is considered and decided.

. Authenticated copy of this order be supplied.

(J.H. BHATIA, J.)